

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY CGSA, INC.)
FOR ISSUANCE OF A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
CONSTRUCT AN ADDITIONAL CELL SITE IN)
LEXINGTON, KENTUCKY FOR THE PROVISION) CASE NO. 97-023
OF DOMESTIC PUBLIC CELLULAR RADIO)
TELECOMMUNICATIONS SERVICE TO THE)
PUBLIC IN FAYETTE COUNTY, KENTUCKY)
AND THE LEXINGTON MSA)

O R D E R

The Commission has received the attached letter from the Lexington-Fayette Urban County Government ("LFUCG") regarding the proposed cellular telecommunications facility to be located at 2640 Richmond Road, Lexington, Fayette County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Kentucky CGSA, Inc. ("Kentucky CGSA") shall respond to the LFUCG's concerns by certified letter, within 10 days of the date of this Order.
2. Kentucky CGSA shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 31st day of January, 1997.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director



Lexington-Fayette Urban County Government

Department of Housing & Community Development • Division of Planning • Planning Services

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**PUBLIC SERVICE
COMMISSION**

January 23, 1997

Don Mills, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RE: PSC Case Number 97-023

Dear Mr. Mills:

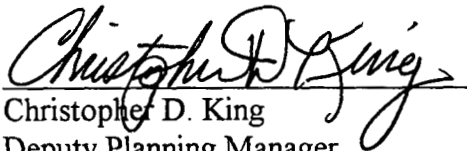
The Lexington-Fayette Urban County Government (hereinafter referred to as LFUCG) wishes to state its concerns regarding the above-captioned application for a cellular tower and equipment shelter for property located at 2640 Richmond Road. The information provided to us by Lexington MSA limited partnership is not detailed enough for us to properly determine the potential impact of the tower upon the existing residential and office development on this site and the surrounding properties, many of which are residential. I specifically request that the following items be provided for our review, or issue otherwise addressed as appropriate:

1. A copy of the application filed with the PSC; in particular, a detailed plan (to scale) showing how the proposed tower would be sited in relation to the existing development (buildings, parking, etc.) on this property; demonstrating that requirements of the Zoning Ordinance can be maintained for the property. Also, the boundary lines of any proposed subdivision for the purposes of leasing as required by KRS Chapter 100; demonstrating compliance with the Subdivision Regulations. I would further note that this site is subject to a site development plan, and no permits can be issued for any development of this property unless and until a development plan has been approved by the Planning Commission in a public hearing.
2. Information as to whether or not Lexington MSA has considered that a significant portion of the property is located within a flood hazard area. Since we have not been provided with any information regarding the specific location of the tower on the site, we cannot assess any flood related problems which may be caused by the proposed facility.
3. The relationship of the property relative to any existing public streets near the property, including New Circle Road, Richmond Road, Gribbin Drive, and Patchen Drive.
4. Addition of a condition by the PSC that the tower be removed if it ever ceases to be used as a cellular transmitting facility.
5. Information as to proposed screening/buffering of the proposed facilities from adjoining properties. The property is located near residential areas.

The LFUCG's Cellular Tower Committee will review the requested information in the hope that any concerns can be addressed short of requesting intervention. I am also sending a copy of this letter to Sam McNamara, attorney for Lexington MSA Limited Partnership.

The Lexington-Fayette Urban County Government looks forward to a response from the applicant and/or the Public Service Commission on these requests.

Sincerely,

A handwritten signature in cursive script, reading "Christopher D. King". The signature is written in dark ink and is positioned above the printed name.

Christopher D. King
Deputy Planning Manager
Chairman, LFUCG Cellular Tower Committee

c: Mayor Pam Miller (c/o Charlie Boland)
Sam G. McNamara, Attorney for Lexington MSA
Cellular Tower Committee Members:
Councilmember Fred Brown, Jimmy Campbell, Keith Horn, Terry Tipton,
& Casey Wilson

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